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Valerie Nevmeyer-Tynkov
Name


Signature

DOCKET: CU-3389

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Matloub et al)
SERIAL NO: 10/751,189) Group Art Unit: 1615
FILED: January 2, 2004) Examiner: Ghali, Isis A.D.
TITLE: Method and Device for Topical Delivery of
Therapeutic Agents to the Skin

THE COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450
MAIL STOP AMENDMENT

AMENDMENT

Sir:

This is in response to the Office Action dated October 7, 2005 having a shortened statutory period for reply set to expire on November 7, 2005. Also included with this communication is a request to extend the term for responding to this Action for two months, to Saturday, January 7, 2006, so that the new term for response ends Monday, January 9, 2006.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper. **Remarks** begin on page 1 of this paper.

REMARKS

In the Office Action, the Examiner requires restriction of this application, under 35 U.S.C. §121, to Group I, Claims 1 to 9, or Group II, Claims 10 to 14. In response, Applicant

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elects Group I, claims 1 to 9. Applicant submits that new claims 15-19 depend from Group I claims and should be included in Group 1.

Claim 10 is amended to refer to the composite sheet of Claim 1, so that Claims 10 to 14 may later be rejoined in this application.

Also, some minor amendments to the claims have been made. Claims 2 and 3 have been amended and claims 15-18 added at least to better identify the time period and pore size mentioned in original claims 2 and 3. The term "butyl" has been deleted from Claim 4 and non-elected claim 13. Claim 8 has been amended at least to include more porous polymer foam materials, as disclosed for instance on page 11 lines 15-18 of the application as filed. Claim 9 has been amended at least to indicate that more than one therapeutic agent may be included in a composite sheet of this invention, as disclosed for instance on page 14 lines 19-20 of the application as filed. Any other amendments to the claims as shown in the claim listing are to place the claims in better condition for allowance.

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,



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January 9, 2006

Date